

IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA

HASKELL B. LEE, SR.,)
)
)
Plaintiff,)
)
)
vs.) No. CIV-12-1061-C
)
)
PAT SORRELS, et al.,)
)
)
Defendants.)

ORDER ADOPTING REPORT AND RECOMMENDATION

This civil rights action brought by a prisoner, proceeding pro se, was referred to United States Magistrate Judge Gary M. Purcell, consistent with the provisions of 28 U.S.C. § 636(b)(1)(B). Judge Purcell entered a Supplemental Report and Recommendation (“R&R”) on October 15, 2013, to which Petitioner has timely objected. The Court therefore considers the matter de novo.

Plaintiff has no objection to the dismissal of Defendant Morton; that portion of the R&R will be adopted without further discussion. Likewise, as Defendants have not filed an objection, the recommendation of the denial of the Motion to Dismiss of Defendants Miller, Roof, Reiheld, and Taylor will be adopted. As to Defendant Sorrels, Plaintiff raises factual arguments which do nothing to overcome Judge Purcell’s legal conclusions that Sorrels is entitled to dismissal as a matter of law.

Accordingly, the Court adopts, in its entirety, the Supplemental Report and Recommendation of the Magistrate Judge (Dkt. No. 60), and finds that the Motions to Dismiss of Defendants Debbie L. Morton (Dkt. No. 32) and Pat Sorrel (Dkt. No. 53) are GRANTED WITH PREJUDICE. The Motion to Dismiss by Defendants Miller, Roof, Reiheld, and Taylor (Dkt. No. 48) is DENIED.

IT IS SO ORDERED this 25th day of November, 2013.



ROBIN J. CAUTHRON
United States District Judge